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13 Emmanuel Pacquiao

14 **UNITED STATES DISTRICT COURT**

15 **DISTRICT OF NEVADA**

16
17 JOHN ASSALIAN, individually and
18 on behalf of all others similarly
situated,

19 Plaintiff,

20 v.

21 TOP RANK, INC., a Nevada
22 corporation; MAYWEATHER
23 PROMOTIONS, LLC, a Nevada
limited liability company;
EMMANUEL D. PACQUIAO; and
24 FLOYD MAYWEATHER, JR.,

25 Defendants.

Case No. 2:15-cv-00855-APG-GWF

Hon. Andrew P. Gordon

**JOINT STIPULATION AND
ORDER TO EXTEND
TIME TO RESPOND TO AMENDED
COMPLAINT**

(FIRST REQUEST)

1 Plaintiff John Assalian (“Plaintiff”) and defendants Top Rank, Inc. (“Top
2 Rank”) and Emmanuel Pacquiao (collectively, “Defendants,” and together with
3 Plaintiff, the “Parties”), through their respective counsel of record, hereby stipulate
4 as follows:

5 WHEREAS, Plaintiff filed his Complaint on May 6, 2015;

6 WHEREAS, Plaintiff served the Complaint on Top Rank on June 12, 2015;

7 WHEREAS, absent an extension of time, Top Rank is due to answer or
8 otherwise respond to the Complaint on or before July 6, 2015;

9 WHEREAS, counsel for Defendants executed a Waiver of the Service of
10 Summons on behalf of Pacquiao dated June 17, 2015;

11 WHEREAS, absent an extension of time, Pacquiao is due to answer or
12 otherwise respond to the Complaint on or before August 17, 2015;

13 WHEREAS, there have been multiple actions related to this case filed in
14 United States District Courts across the country (the “Actions”);

15 WHEREAS, a motion under 28 U.S.C. § 1407 has been filed with the
16 Judicial Panel on Multidistrict Litigation (the “JPML”) to centralize the Actions for
17 coordinated or consolidated pretrial proceedings, *see In re: Pacquiao-Mayweather*
18 *Boxing Match Pay-Per-View Litigation*, MDL No. 2639 (J.P.M.L. May 8, 2015)
19 [Dkt. 1];

20 WHEREAS, the JPML has scheduled a hearing session and oral argument on
21 the pending motion under 28 U.S.C. § 1407 for July 30, 2015, *see id.* [Dkt. 100];

22 WHEREAS, for efficiency’s sake, initial status hearings and briefing on pre-
23 answer motions to dismiss in these Actions should not be scheduled until the JPML
24 has ruled on the pending motion to centralize the Actions, it has been determined
25 which court will preside over the Actions, and any consolidated amended complaint
26 has been filed;

27 WHEREAS, there have not been any prior requests for extensions in the
28 above-captioned matter;

1 WHEREAS, all Parties join in this Stipulation;

2 NOW, THEREFORE, pursuant to Local Rule 6-1 and subject to the approval
3 of the Court, the Parties hereby stipulate as follows:

4 1. Defendants' time to answer, move or otherwise respond to Plaintiff's
5 Complaint is hereby extended to forty-five (45) days after the Actions have been
6 coordinated or consolidated in a single forum and a consolidated amended
7 complaint has been filed (or lead plaintiffs' counsel has announced by filed notice
8 that it will not be filing a consolidated amended complaint), or, if the Actions are
9 not coordinated or consolidated in a single forum, forty-five (45) days after the
10 JPML issues its decision on the pending motion under 28 U.S.C. § 1407; and

11 2. No defense of any Defendant is prejudiced or waived by its submission
12 of this Stipulation, including whether the correct corporate entity has been named as
13 a defendant.

14
15 IT IS SO STIPULATED.

16
17 Dated: June 29, 2015

18 /s/ Eric D. Hone

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/s/ Mario M. Choi

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Attorneys for Plaintiff

27 SO ORDERED.

28 Dated: June 30, 2015.


UNITED STATES DISTRICT JUDGE